

Annex H

Congressional Reporting Requirement: 50 USC 1523

<p>Text of Public Law Mandating Report on The Department of Defense Chemical and Biological Defense Program</p>
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Title 50 of the U.S. Code, Sec. 1523. Annual report on chemical and biological warfare defense
Implemented by Public Law 103-160, The FY94 National Defense Authorization Act

(a) Report required

The Secretary of Defense shall include in the annual report of the Secretary under section 113(c) of title 10, a report on chemical and biological warfare defense. The report shall assess--

- (1) the overall readiness of the Armed Forces to fight in a chemical-biological warfare environment and shall describe steps taken and planned to be taken to improve such readiness; and
- (2) requirements for the chemical and biological warfare defense program, including requirements for training, detection, and protective equipment, for medical prophylaxis, and for treatment of casualties resulting from use of chemical or biological weapons.

(b) Matters to be included

The report shall include information on the following:

- (1) The quantities, characteristics, and capabilities of fielded chemical and biological defense equipment to meet wartime and peacetime requirements for support of the Armed Forces, including individual protective items.
- (2) The status of research and development programs, and acquisition programs, for required improvements in chemical and biological defense equipment and medical treatment, including an assessment of the ability of the Department of Defense and the industrial base to meet those requirements.
- (3) Measures taken to ensure the integration of requirements for chemical and biological defense equipment and material among the Armed Forces.
- (4) The status of nuclear, biological, and chemical (NBC) warfare defense training and readiness among the Armed Forces and measures being taken to include realistic nuclear, biological, and chemical warfare simulations in war games, battle simulations, and training exercises.
- (5) Measures taken to improve overall management and coordination of the chemical and biological defense program.
- (6) Problems encountered in the chemical and biological warfare defense program during the past year and recommended solutions to those problems for which additional resources or actions by the Congress are required.
- (7) A description of the chemical warfare defense preparations that have been and are being undertaken by the Department of Defense to address needs which may arise under article X of the Chemical Weapons Convention.
- (8) A summary of other preparations undertaken by the Department of Defense and the On-Site Inspection Agency to prepare for and to assist in the implementation of the convention, including activities such as training for inspectors, preparation of defense installations for inspections under the convention using the Defense Treaty Inspection

Readiness Program, provision of chemical weapons detection equipment, and assistance in the safe transportation, storage, and destruction of chemical weapons in other signatory nations to the convention.

of (9) A description of any program involving the testing of biological or chemical agents on human subjects that was carried out by the Department Defense during the period covered by the report, together with a detailed justification for the testing, a detailed explanation of the purposes of the testing, the chemical or biological agents tested, and the Secretary's certification that informed consent to the testing was obtained from each human subject in advance of the testing on that subject.

In addition the House National Security Committee added the following reporting requirements for this report(HNSC H. Rpt. 105-532, H.R. 3616; p. 209):

Stated that the budget request for CBDP also included \$88.0M in PE 62383E for DARPA's component of the bio warfare defense program. The committee has repeatedly expressed its concerns about the need for a strong CBDP to meet the potential threat posed by the proliferation of CBW in the post-Cold War world. The committee has strongly supported and insisted upon a coordinated and integrated CBDP and the need for joint coordination and oversight of the program. The committee notes ongoing R&D activities by the DoE national laboratories that are addressed elsewhere in this report, including \$17.0M for the DoE Deterrence and Detection Technologies Program and \$56.5M for the DoE Proliferation Detection Program. The committee believes that increased and continuing emphasis should be given to the development of advanced stand-off detectors that employ a range of potential sensing technologies capable of detecting NCB weapon proliferation effluents and agents. The committee also believes that the CBDP must incorporate the best efforts of the military services' R&D establishment, defense agencies, national laboratories, federally funded R&D centers, and industry. The committee directs that the SecDef address this issue, including plans for developing a more fully integrated program with the DoE, as a specific item of interest in the next annual report to Congress on DoD's NCB Defense Program.